

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:30 p.m. on Monday, December 20, 2010 at the Sturgis Community Center. Present: Mayor Maury LaRue, Alderpersons Clint Brengle, Joe DesJarlais, Mark Carstensen, Jamie McVay, Tim Potts, Bernadette Usera and Kelly Vasknetz. City Manager Dave Boone and City Attorney Greg Barnier were present. Absent: David Hersrud.

Mayor LaRue led everyone in the Pledge of Allegiance.

Announcements:

Mayor LaRue announced that Sturgis Family Fun Night will be on New Year's Eve from 4:00 pm to 9:00 pm.

Councilor Potts thanked the Street Department for sanding behind the auditorium so that the Jay Cees could distribute all the toys from the Toys for Tots program.

Motion by Potts, second by McVay and carried with all members voting yes to approve the agenda as written.

Motion by DesJarlais, second by Usera and carried with all members voting yes to approve the minutes from the regular council meeting on December 6, 2010.

Motion by Brengle, second by McVay and carried with all members voting yes to approve the following claims with the exception of Claim #96 – Homeslice - \$5,495 and Claim #103-Cash-Wa Distributing - \$67,475.00-Walk-in Cooler.

**Wages** – Mayor and Council \$3,236.18; Attorney \$2500.00; Finance Office \$7,982.03; Human Resource \$2000.00; City Manager \$4,944.70; Buildings \$1,561.25; Community Development \$4,683.69; Rally \$3,010.23; Police \$33,166.19; Fire Department \$2,477.92; Streets \$7,216.53; Street Cleaning \$945.91; Cemetery \$1,024.55; Community Center \$12,131.56; Library \$8,725.94; Auditorium \$191.85; Parks 10,109.72; Ambulance \$11,444.19; Liquor \$4,165.47; Water \$13,063.43; Wastewater \$8,525.24; Sanitary Service \$9,506.85; Federal Withholding \$12,019.43; FICA \$22,563.84.

**General**-A&J Surplus, \$81.90, supp; Alvares, Laurie, \$84.80, refund; Alyea, Laura, \$224.10, prog; Amcon Distributing, \$400.95, resale; Barden, Carsey, \$60.00, prog; Battery Shack, \$409.00, sup; Best Buy, \$949.99, sup; Best Western Ramkota Inn, \$272.98, travel; BH Chemical, \$3401.01, sup; Boehrs, Michelle, \$50.00, travel; Bushong, Bill, \$145.30, travel; Butler Machinery, \$600.00, sup; Campbell Supply, \$267.61 rep; CBH Coop, \$15457.72, sup; CCP Industries, \$60.77, rep; Coca Cola, \$25.50, rent; Community Center petty cash, \$15.00, supp; Corey, Curt, \$120.00, prog; Corwe, Devon, \$75.00, prog; Dakota Backup, \$903.45, prof fees; Dakota Battery, \$169.29, rep; Dakota Mills & Grain, \$585.90, sup; Dakota Supply Group, \$632.64, sup; Display Sales, \$6060.00, econ dev; DPMS Firearms, \$788.24, mach & equip; Dykstra, Kathy, \$404.03, ins; Ecolab Pest Eliminator, \$164.00, rep; Energy Lab, \$37.10, rep; Fast Break Screen Printing, \$195.00, sup; Fastenal Co., \$57.44, rep; First Interstate Bank, \$4289.51, rep; Freeman Electric, \$965.18, rep; FSH Communication, \$120.00, util; Heitsch, Tom, \$53.00, rep; Hills Materials, \$9603.28, sup; Hillyard, \$179.02, sup; Holiday Inn Express, \$200.00, other; Integrity Sheet Metal, \$1363.00, rep; Intl Municipal Lawyers Assn, \$340.00, prof fees; Jade Equipment Co, \$1770.48, rep; Jeffery-Kirk, Lori, \$2900.00, other; Johnston Hardware, \$45.04, sup; Kadrmas, Lee & Jackson, \$7418.31, econ dev; Knology, \$144.22, util; Lacal Equipment, \$2542.22, rep; Lensegrav, Brooke, \$45.00, prog; Martin, Sheryl, \$150.00, prog; McDermott, Betty, \$40.00, refund; Meade Co. Times/Tribune, \$576.56, pub; Menards, \$72.96, sup; Morrell, Candy, \$3161.09, rep; Motoring USA, \$65761.70, prof fees; Motorola, \$3518.00, sup; Neve's Uniforms, \$1726.30, sup; Newman Traffic Signs, \$450.96, sup; Northern Hills Vet Clinic, \$36.76, prof fees; Occupational Health Network, \$276.04, prof fees;

OfficeMax, \$849.98, sup; O'Reilly Auto Parts, \$437.34, rep; Owens Interstate Sales, \$1080.21, sup; Pamida, \$15.29, sup; Peterson, Kahlie, \$45.00, prog; Powerplan, \$9.93, rep; Print Mark-et, \$695.36, pub; Public Safety Equipment, \$4681.83, rep; Purchase Power, \$406.85, sup; PVP Communications, \$1048.72, rep; Robert Sharp & Associates, \$234.90, pub; Rockingtree Floral, \$26.00, sup; Rushmore Office Supplies, \$108.97, sup; Sand Creek Printing, \$73.75, supp; Schmidt, Fred, \$30.00, other; SD Dept of Transportation, \$126.34, prof fee; Servall Towel & Linen, \$31.27, sup; Sheehan Mack Sales & Equipment, \$515.25, rep; SMRI, \$45338.23, other; Stan Houston Equipment, \$7962.50, equip; Stern Oil Co, \$2175.89, sup; Sturgis NAPA, \$885.89, sup; Sturgis Police Reserves, \$756.00, util benefit; Sturgis Volunteer Fire Dept, \$3947.00, state grant; Subway, \$144.39, sup; Twilight First Aid, \$123.05, sup; Vanway Trophy, \$171.45, other; Veal, Matthew, \$30.00, other; Walco, \$3.37, sup; West River International, \$33.22, sup; Westbrook, Steve, \$30.00, other; Western Communications, \$3518.00, sup; Whitehead, Donald, \$30.00, other.

**Park**-Campbell Supply, \$61.11, sup; First Interstate Bank, \$197.19, util; J&L Services, \$240.00, rep; Johnston Hardware, \$38.98, other; Knology, \$167.36, util; National Arbor Day Foundation, \$25.00, other; Occupational Health Network, \$94.42, prof fee; O'Reilly Auto Parts, \$76.64, rep; Owens Interstate Sales, \$15.50, sup; Powerplan, \$54.98, rep; Print Mark-et, \$63.22, pub; Rushmore Office Supplies, \$118.93, sup; SD Federal Property Agency, \$2.00, sup; Stock, Eugene, \$1000.00, ins; Sturgis NAPA, \$150.76, rep, Ziegler Building Center, \$142.08, sup.

**Ambulance**-BH Chemical, \$54.39, sup; CBH Coop, \$1257.35, supp; Dakota Backup, \$45.67, prof fee; DB Billing, \$2154.07, prof fee; Greens Alignment, \$30.00, rep; Johnston Hardware, \$20.73, sup; Keyte, Bob, \$500.00, ins; Kusser, Josh, \$500.00, ins; Occupational Health Network, \$40.00, prof fee; Peterson, Shawn, \$1000.00, ins; Print Mark-et, \$63.21, pub; Regional Health, \$4508.27, sup; Regional Home Medical Equip, \$351.17 sup; Sturgis NAPA, \$96.09, rep.

**Capital Improvement**-Brosz Engineering, \$34387.39; Crescent Electric, \$409.22; Double Star Computing, \$2593.90; Meade Co Auditor, \$2235.26.

**Cert Police Grant**-Neve's Uniforms, \$547.50.

**Capital Projects**-First Interstate Bank, \$30.59; Johnston Hardware, \$166.70.

**Community Projects**-Double Star, \$2611.10.

**Liquor**-Amcon, \$2593.78, resale; Cask & Cork, \$250.00, liquor; Coca Cola, \$93.50, resale; Eagle Sales of the BH, \$7034.50, beer; Ecolab Pest Eliminator, \$41.00, rep; Fisher Beverage, \$1679.00, beer; Johnson Western Wholesale, \$23239.70, liquor; Lolley, Harriet, \$252.00, resale; M&B Enterprise, \$128.50, resale; Occupational Health Network, \$87.21, prof fee; Pepsi Cola Bottling, \$139.24, resale; Print Mark-et, \$63.22, pub; Republic Beverage Co, \$5503.63, liquor.

**Water**-Dakota Backup, \$107.71, prof fee; First Interstate Bank, \$268.54, sup; Knology, \$59.59, util; Morrell, Candy, \$362.55, rep; Occupational Health Network, \$94.42, prof fee; Print Mark-et, \$63.22, pub.

**Wastewater**-BH Truck & Trailer, \$3497.50, rep; Campbell Supply, \$275.98, cap imp; City of Belle Fourche, \$28.74, other; Flexible Pipe Tool, Co, \$515.41, rep; Freeman Electric, \$240.00, rep; G&H Distributing, \$273.50, rep; Johnston Hardware, \$8.72, rep; Meade Co Weed & Pest, \$2929.31, other; Morrell, Candy, \$238.18, rep; Northwest Pipe Fittings, \$2525.79, cap imp; OfficeMax, \$824.98, sup; Owens Interstate Sales, \$433.33, sup; Print Mark-et, \$63.22, pub; Rushmore Communications, \$225.00, rep; Sturgis NAPA, \$47.86, rep.

**Sanitation**-A&J Surplus, \$57.00, rep; Adams Machine, \$395.15, rep; BH Truck & Trailer, \$3497.50, rep; Butler Machinery, \$600.00, sup; Campbell Supply, \$79.10, rep; City of Belle Fourche, \$15911.65, other; Dakota Radiator, \$1510.00, rep; Grimm's Pump Service, \$82.45, rep; Lawson Products, \$451.93, sup; McGas, \$521.65, sup; Meade Co Weed & Pest, \$2629.31, other; Morrell, Candy, \$238.18, rep; Occupational Health Network, \$87.21, prof fee; OfficeMax, \$824.99, sup; O'Reilly Auto Parts, \$9.04, rep; Owens Interstate Sales, \$886.59, sup; Print Mark-et, \$63.22, pub; Sturgis NAPA, \$817.30, rep.

**Community Center Children's Fund**-Comm Ctr, \$100.00, other;

Motion by Carstensen, second by Usera and carried with Carstensen, DesJarlais, LaRue, McVay, Usera and Vasknetz voting yes and Potts and Brengle abstaining to approve Claim #96 – Homeslice - \$5,495 and Claim #103-Cash-Wa Distributing - \$67,475.00-Walk-in Cooler.

Committee Reports:

- Council member Usera reported that the Library donated \$350 and over 150 pounds of food to the Kiwanis Food Pantry which was collected from fines and donations in the Library. Several mittens have been donated to the mitten tree, which will go to the school nurses and the Crisis Shelter after Christmas. An individual donated \$1000 in memory of a loved one to the Library and Sturgis Rally Charities gave \$1500 to the library.

City Manager Report:

City Manager Boone gave a presentation of Council goals that were accomplished throughout the year. The following is a summary of those goals.

- City Tax Rate Reduction (\$7.63 to \$7.59/ per \$1,000 assessed value)
  - '11 Budget Held to .2% Growth; \$203,839 Purchasing Savings; Sales Tax Up 9% for 2010
- Retail Attraction –
  - Contacted 100+ Retailers; Attended RECON; Developer interest at Exit 32
  - New Development Project Proposed on Lazelle (release pending)
- Murray Water, Sewer, Street Projects Phase I and II Completed
  - \$214,000 Grant for Residents / Affordable \$25 Surcharge
- Future Sturgis - Comprehensive Plan – Downtown Redevelopment Plan
- 2010 Sturgis Motorcycle Rally – 13% Increase Sales Tax, 17% Increase in Traffic Counts / Visitorship = Increased contributions to community
- Main Street Revitalization – Main Street Lighting Project
- 2010 Street Improvement Program – 35 Blocks of Pavement / 15 Chip/Seal
- Parks Improvements –\$160,752 Bike Path Grant & Pony Field Concession
- Pine View/Vanocker Canyon Road Project - \$146,000 DOT Grant
- Airport Reconstruction - \$2,300,000 FAA Grant Implemented
- Solid Waste Management Program Grant - \$223,500 Equipment Grant
- Liquor Store Expansion Project - \$811,000 Build America Bond
- Code Enforcement / Community Beautification launched – 255 cases closed

The entire presentation can be viewed on the City website.

DesJarlais introduced the following written resolution and moved its adoption:

**RESOLUTION 2010--41**  
**RESOLUTION APPROVING PLAT**

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property:

A plat of Lot 1H Revised and Lot 2H Revised of Hurley Subdivision (Formerly Lot 1H and Lot 2H Less North 868', of Hurley Subdivision) Located in the N1/2NW1/4 of Section 16, T.5N., R.5E., B.H.M., City of Sturgis, Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 20th day of December 2010.

Published: December 29, 2010

Effective: January 19, 2011

Vasknetz seconded the motion for the adoption of the foregoing resolution with all members voting yes and the resolution was declared passed and adopted.

Motion by Potts, second by DesJarlais and carried with all members voting yes to approve second reading of Ordinance 2010-15 – Ordinance revising Title 7 – City Government.

**ORDINANCE 2010-15**  
**ORDINANCE REVISING TITLE 7 – CITY GOVERNMENT**

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 7, Chapter 7.03, Section 7.03.09 –Powers and Duties of the Mayor, with the addition of 7.03.10 – Appointment of Designee by City Manager and 7.03.11 – Appointment of Designee by City Council is hereby amended to read as follows:

**7.03.09: POWERS AND DUTIES OF THE MAYOR**

The powers and duties of the Mayor shall be such as are prescribed by the laws of the State, and other provisions of the City of Sturgis Code of Ordinances, and such further duties as are incident to the office.

**7.03.10: APPOINTMENT OF DESIGNEE BY CITY MANAGER**

In the event of the absence or disability of the City Manager resulting in a period of time when he/she is unable to perform all of the tasks required to discharge the responsibilities of that position, and the City has not employed an Assistant City Manager, the City Manager shall delegate necessary management tasks and responsibilities to a designated member or members of the management team. For the purposes of implementing this Ordinance, the management team shall consist of those Department supervisors designated and identified to the Council by the City Manager in the letter of designation. The designation letter shall identify the responsibilities delegated to the team or an individual member of the team, and shall be for a specified period of time. The designation letter shall be maintained in the official record kept by the Finance Office, and a copy shall also be provided to or delivered to the Mayor and Council President before the period of such designated responsibility commences. No additional compensation shall be required for any designee unless approved by action of the Council.

**7.03.11: APPOINTMENT OF DESIGNEE BY CITY COUNCIL**

In the event of the disability or absence of the City manager resulting in a period of time when he/she is unable to perform all of the tasks required to discharge the responsibilities of that position, and the City has not employed an Assistant City Manager, or during a period of suspension as provided for in SDCL 9-10-11 when there is no Assistant City Manager employed by the City, the Mayor, with the approval of the Council, may designate a management team and leader to be selected to fulfill the essential and necessary duties of the

City Manager position. The designation shall delegate necessary management tasks and responsibilities to a designated member or members of the management team. For the purposes of implementing this Ordinance, the management team shall consist of those Department supervisors designated and identified by the Mayor in the letter of designation. The letter of designation shall identify the responsibilities delegated to the team or an individual member of the team, shall designate the team leader, and shall be for a specified period of time. Each week during the period of such appointment the designated members shall meet and, with the assistance of the City Attorney, prepare and submit a report to the Council of their performance of those duties. Upon approving such designation by the Mayor, the Council may also consider adjusting the compensation paid to any or all management team members to reflect the additional, temporary responsibilities assigned to that member as a result of such designation.

Dated this 20th day of December, 2010.

First reading: December 6, 2010

Second reading: December 20, 2010

Adopted: December 20, 2010

Published: December 29, 2010

Effective: January 19, 2011

Mayor LaRue presented Jerrid Goebel with a check for \$1200 for the Toys for Tots program. The money was raised during the City employee Christmas party.

Motion by DesJarlais, second by Potts and carried with Carstensen, DesJarlais, LaRue, McVay, Potts, Usera and Vasknetz voting yes and Brengle abstaining to set a public hearing date of January 17, 2011 for the transfer of the Buffalo Bills Corp. (Buffalo Bill's Bowling & Firehouse Saloon) Alcoholic Beverage license to KSLB & D Inc.

Motion by Potts, second by Usera and carried with Carstensen, DesJarlais, LaRue, McVay, Potts, Usera and Vasknetz voting yes and Brengle abstaining to set a public hearing date of January 17, 2011 for the transfer of the Sturgis Sportscenter Malt Beverage License to Buffalo Bills Corp. (Buffalo Bill's Bowling & Firehouse Saloon).

Motion by Usera, second by McVay and carried with Carstensen, DesJarlais, LaRue, McVay, Potts, Usera and Vasknetz voting yes and Brengle abstaining to set a public hearing date of January 17, 2011 to approve Retail (on-off sale) Wine license for Sturgis Ranch Mart #23.

Motion by Vasknetz, second by Usera and carried with Carstensen, DesJarlais, LaRue, Potts, Usera and Vasknetz voting yes, McVay voting nay and Brengle abstaining to set a public hearing date of January 17, 2011 to approve a special events licenses for Boulder Canyon Convention Center on January 22, 2011- CBH Corp. Holiday party and February 11, 2011-Sacrison Paving Co Holiday party.

Prior to acting on first reading of Ordinance 2010-16 amending Title 2, Dave Wilson asked the Council if they would reconsider the time limit of 48 hours that was set in the Ordinance.

Motion by McVay, second by Usera and carried with all members voting yes to approve first reading of Ordinance 2010-16 – amending Title 2, Chapter 2.03, Section 2.03.14-Temporary structure permit required.

Prior to acting on first reading of Ordinance 2010-17 amending Title 31, Jack Hoel and Dave Wilson stated their opposition to this ordinance.

A motion was made by Usera to approve first reading of Ordinance 2010-17, amending Title 31, Chapter 31.02, section 31.02.03.3 – Fee and Duration of License, but died due to a lack of a second.

The following bids were given for fuel and propane: Fuel – only bid - Farmer’s Union Oil, DBA: CBH Cooperative - Bid Price is based on the following formula- Our base cost+freight+state taxes if necessary+\$0.06 margin. Unleaded-\$2.717; Unleaded with 10% ethanol-\$2.666; #1 Clear Diesel-\$3.349; #2 Clear Diesel-\$3.042; #1 Dyed Diesel-\$3.132; #2 Dyed Diesel-\$2.826.

Propane: CBH Cooperative – no bid on cylinder; \$1.59 bulk deliveries. McGas Propane-Cylinder - \$0.60 per pound and \$1.59 bulk delivery.

Motion by Potts, second by Carstensen and carried with all members voting yes to approve the bid for fuel from Farmer’s Union Oil, DBA: CBH Cooperative and the propane bid from McGas Propane.

The following bids were given for the 2010 Alternative Daily Cover Machine: Landfill Service TurfMaker - \$34,577.00; Landfill Service Corporation - \$78,500.00; Easy Lawn Inc.-\$39,702.00; New Waste Concepts-\$38,746.00.

Motion by McVay, second by Potts and carried with all members voting yes to accept the low bid of \$34,577.00 from TurfMaker.

Motion by Brengle, second by McVay and carried with all members voting yes to allow the raffle for Early Childhood Development.

Any other Business:

None

Motion by Potts, second by Vasknetz and carried with all members voting yes to go into executive session at 7:57 p.m. for legal.

Motion by McVay, second by Carstensen and carried with all members voting yes to come out of executive session at 8:06 p.m.

Mayor LaRue adjourned the meeting at 8:06 p.m.

ATTEST: \_\_\_\_\_  
Fay Bueno, Finance Officer

APPROVED: \_\_\_\_\_  
Maury LaRue, Mayor

Publish once at the total approximate cost

